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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

June 27, 2003

OFFICE OF THE
REGIONAL ADMINISTRATOR

The Honorable Richard Pombo
United States House of Representatives
2411 Rayburn House Office Building
Washington, DC 20515-0511

Dear Congressman Pombo:

Thank you for your letter of May 20, 2003 to Administrator Whitman concerning the serious impacts of perchlorate contamination on the groundwater in Santa Clara County, California and an estimated time line for establishing a federal perchlorate standard. As you note in your letter, perchlorate has spread approximately 7.5 miles from the source area, a former Olin Corporation flare manufacturing plant that operated from 1956 through 1997. Over 400 groundwater samples from water supply wells in the San Martin area have tested positive for perchlorate at levels greater than the current State of California action level of 4 parts per billion.

Response to this contamination is under the jurisdiction of the State of California Central Coast Regional Water Quality Control Board with active assistance from the Santa Clara Valley Water District. U.S. Environmental Protection Agency (EPA) staff from our San Francisco office continue to be actively involved in this effort through providing a series of professional briefings to water, health and agricultural officials, participating in public meetings and sharing current data on perchlorate. We have offered further enforcement assistance to our colleagues at the State of California in the event that state and local enforcement authority is not sufficient to address the perchlorate problem in San Martin. State officials have reported that Olin Corporation has been generally cooperative in funding investigation and immediate response tasks, so there is not a current need for EPA resources beyond the technical assistance we are providing. We will continue to monitor the perchlorate problem in San Martin to determine whether additional EPA assistance is needed in the future.

EPA has been addressing the impacts of perchlorate on California's water supplies since the early 1990s. In 1992, EPA first issued a provisional reference dose (RfD), a preliminary estimate of the safe level of perchlorate for humans. The provisional RfD, revised in 1995, was followed by a toxicological review in 1998. External peer reviews of these documents led to the identification of toxicological studies needed to more accurately define the threat of exposure to perchlorate. Those studies, funded by the Department of Defense and other perchlorate users between 1997 and 2001, provided the basis for EPA's 2002 draft reference dose for perchlorate that translates to approximately 1 part per billion in drinking water.

The EPA is required by the congressionally-enacted Safe Drinking Water Act Amendments to make findings in several areas (health effects, contaminant occurrence, analytical methods, and treatment technologies) as part of the process for making a decision to regulate a contaminant and develop a national primary drinking water standard. In light of public concern about potential health effects and the need for an open and transparent process, EPA, in cooperation with various Federal government agencies, including the Department of Defense, National Aeronautics and Space Administration, and the Department of Energy, requested a review of the science underlying the Agency's draft perchlorate Health Risk Assessment from the National Academy of Sciences (NAS). We will not finalize our health risk assessment and reference dose until we have addressed comments from the National Academy of Sciences review, which is currently under way. In the interim, we are collecting the information needed to determine whether a drinking water standard may be required. Note that a reference dose is not a drinking water standard or a clean up standard. Rather, it is one step in developing a broader response to perchlorate, which may ultimately conclude in the promulgation of a federal drinking water regulation for perchlorate. Completion of a regulatory standard for perchlorate, including consideration of public comments and a cost-benefit analysis, may take several additional years.

EPA will continue to work with federal, state and local agencies to address perchlorate contamination problems in California and nationwide. If we can be of further assistance, please contact me or your staff may contact my Congressional Liaison Officer, Jim Vreeland at (415) 947-4298.

Sincerely,



for

Wayne Natri
Regional Administrator